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Atty. Docket No. 1673 CON RE (203-2058CON RE)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

APPLICANT(S): Henry Bolanos et al.

EXAMINER: Scott A. Smith

SERIAL NO.: 09/882,131

GROUP: 3721

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FOR: **DISPOSABLE LOADING UNIT FOR SURGICAL STAPLER**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**STATEMENT UNDER 37 C.F.R. §1.178**

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TECHNOLOGY CENTER R3700

Sir:

After conducting a search through the in-house prosecution files of U.S. Patent No. 5,911,353, and its related family, assignee has been unable to locate original U.S. Patent No. 5,911,353. Since the original patent is maintained in its prosecution file, it has been determined that original U.S. Patent No. 5,911,353 has been lost. Accordingly, assignee is unable to surrender the original patent.

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Respectfully submitted,

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**CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postpaid in an envelope, addressed to the: Mail Stop: Fee Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on February 20, 2004.

Dated: February 20, 2004

*Christopher G. Trainor*  
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